



**THE CITY OF NEW YORK
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July 26, 2024

VIA ECF

The Honorable Ona T. Wang
United States Magistrate Judge
Southern District of New York
500 Pearl Street
New York, NY 10007

Re: Patricia Rodney v. The City of New York, et. al., 22 Civ. 1445 (LAK)(OTW)

Your Honor:

I am a Senior Counsel in the office of Muriel Goode-Trufant, Acting Corporation Counsel of the City of New York, representing defendants in the above referenced matter. We hereby respectfully submit our monthly status report.

As the Court is aware from defendants' last status report, defendants' prior counsel, John Schemitsch, is now on leave. This case has been reassigned to me and I filed a notice of appearance on July 8, 2024. I have endeavored to familiarize myself with the matter so that I can proceed with the defense of the case. I have also read the court transcript of the last discovery conference before Your Honor (Docket 205). It is my understanding that Mr. Schemitsch produced responsive emails from a certain date range. From plaintiff's last two status reports, it appears that plaintiff has questions about the possibility of text messages and emails from outside the date ranges which were searched for the emails that were produced. Given that there are 10 defendant officers in the case (excluding former Comm. O'Neill), this will take some time to complete, and we note that the likelihood of responsive relevant documents does not appear to be substantial, and in light of everything else produced in this case, marginal at best. Plaintiff also has raised questions in footnotes 1 and 3 of her prior status reports, which we will answer. The other outstanding item from the last court conference appears to be related to withheld pages from defendant officer personnel files. I will be updating our discovery responses with respect to this issue as well. I am also continuing to familiarize myself with the file to be able to proceed with plaintiff's deposition as soon as possible. I agree with plaintiff that fact discovery should be extended to the winter given the number of parties in the case.

Thank you for your consideration herein.

Respectfully submitted,

/s/ Mark D. Zuckerman
Mark D. Zuckerman

cc: All counsel (via ECF)